REMARKS

SUMMARY

The subject application including the presently submitted amendments sets forth claims 3-5 and 9-21 with claims 3 and 9 being independent claims. Claims 9-21 previously have been identified as allowable. Prior claims 1-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent Nos. 6,600,326 (Weiss) and 6,444,069 (Koch). Claims 1-2 and 6-8 are canceled per the present amendments. Regarding claims 3-5, such claims are presently amended. In response to such amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of claims 3-5.

ALLOWABLE SUBJECT MATTER

Applicants note with appreciation that original claims 9-21 were indicated as having allowable subject matter. Based on the present amendments and remarks, Applicants respectfully request further acknowledgement of allowance of claims 3-5.

INTERVIEW SUMMARY

Applicants appreciate the opportunity to have conducted a telephone interview with Examiner Lucy Thomas and Primary Examiner Fritz Fleming on April 29, 2010. The substance of the interview primarily focused on the subject matter of claims 3-5 relative to the cited references, particularly U.S. Patent No. 6,444,069 (Koch). Proposed amendments to claim 3 were discussed, including a first limitation intended to clarify that the at least one tire electronics device in claim 3 be mounted "directly" on a surface of the tire. In addition, we discussed a second limitation indicating that the method of claim 3 would provide "an insulative wall

perpendicular to the tire surface and in proximity to but not covering the at least one tire electronics device." The reasons why these proposed amendments help distinguish over the cited references, including the Koch patent, were also discussed and are consistent with the remarks presented herein. Examiner Thomas also indicated in the Interview that the proposed amendments may require additional searching. As such, the presently submitted amendments and remarks are filed concurrently with the requisite forms and fees for an RCE.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Prior claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,600,326 (Weiss) in view of U.S. Patent No. 6,444,069 (Koch). Because the presently submitted amendments serve to cancel claims 1-2 and 6-8, Applicants respectfully submit that such rejection is now moot with regard to claims 1-2 and 6-8. Concerning claims 3-5, Applicants respectfully submit that such claims are patentable over the cited combination of references in light of the present amendments and the following remarks.

Present claims 3, 4 and 5 are directed to certain exemplary aspects of the present technology, a portion of which is shown in the example of Figs. 2 and 2a. Figs. 2 and 2a generally illustrate one exemplary embodiment for providing physical protection of a tire electronics device by employing an insulative wall either partially or completely surrounding a tire electronics device mounted on a tire surface. As shown in Figs. 2 and 2a, a tire electronics device 94 is secured directly to an inside surface 12 of tire 10. In this embodiment, a semicircular insulative protective structure taking the form of a wall 200 is positioned perpendicular to inside tire surface 12 to provide physical protection for tire electronics device 94 from contact by wires 310. The protective wall 200 at least partially surrounds tire

electronics device 94 and may, by way of optional wall portion 210, completely surround the tire electronics device 94. The simple and elegant solution depicted in Figs. 2 and 2a affords a unique method for protecting tire electronics relative to the currently cited prior art.

Currently amended independent claim 3 is intended to specifically include some of the features described above relative to Figs. 2 and 2a. As described in independent claim 3, a method for preventing damage to tire electronics during tire inspection includes in relevant part, steps of "providing a tire containing at least one tire electronics device mounted directly on a surface of the tire;" and "providing an insulative wall perpendicular to the tire surface and in proximity to but not covering the at least one tire electronics device such that contact with the tire electronics device by the end of the conductive wire configured for contact with the tire is inhibited by the insulative wall" (emphasis added).

Neither Weiss nor Koch discloses a step of "providing a tire containing at least one tire electronics device mounted directly on a surface of the tire" as set forth in claim 3. Numbered page 2 of the March 2, 2010 Office Action acknowledges that "Weiss does not specifically disclose that the tire contains at least one tire electronics device." Koch, although disclosing an electronic monitoring device 32 (equated with the tire electronics device of claim 3), does not mount the electronic monitoring device 32 directly to a surface of the tire. Instead, a rigid tag assembly 30 is formed of epoxy potting material to encapsulate the electronic monitoring device 32. The encapsulating rigid tag assembly is then bonded to a vulcanized rubber patch before being secured to the inner cavity of a tire. As such, the electronic component disclosed in Koch is not mounted directly on a surface of the tire as called for in claim 1. Instead, a plurality of additional time-consuming and expensive steps are required in order to protect and secure the electronic monitoring device 32 set forth in Koch. Since neither cited reference discloses

mounting at least one tire electronics device directly on a surface of a tire, claim 3 is patentable for at least this reason.

Neither Weiss nor Koch discloses a step of "providing an insulative wall perpendicular to the tire surface and in proximity to but not covering the at least one tire electronics device" (emphasis added), as also set forth in independent claim 3. Numbered page 2 of the March 2, 2010 Office Action specifically acknowledges that Weiss does not provide a physical barrier in proximity to a tire electronics device. Koch discloses physical barriers for its electronic monitoring devices, but every embodiment in Koch envisions encapsulation of the electronic devices. Figs. 1-5 all show a first embodiment in which electronic monitoring device 32 is completely encapsulated in a potting material 40 which solidifies into a rigid assembly and is then placed within a mold 50 having a first half 52 and a second half 54. None of these insulative features in Koch, including the potting material 40 and mold components could be the same as the insulative wall set forth in claim 3 because any portion that could be considered perpendicular to the tire surface is part of an element that also contributes to the complete covering and encapsulation of the electronic monitoring device 32 in Koch. Even the rigid tag assembly 130 shown in Figs. 7-8 of Koch includes an insulative wall portion 136 that covers the tire electronics device 132. Because the insulative features in Koch cover the electronic monitoring device 32 in such reference, such reference fails to disclose a step of "providing an insulative wall perpendicular to the tire surface and in proximity to but not covering the at least one tire electronics device." Claim 3 is further patentable for at least this reason.

Claim 3 is also patentable over the combination of Weiss and Koch because neither reference discloses a method limitation whereby "contact with the tire electronics device by the end of the conductive wire configured for contact with the tire is inhibited by the insulative

wall." Claim 3 is not directed to an apparatus including protective features, but to a specific method for preventing damage. Regardless of what protective features are disclosed in Koch, it is clear that such features are not provided to prevent contact between a tire electronics device and the end of a conductive wire used during tire inspection. A specific relationship between the insulative wall and tire electronics device set forth in claim 3 would be required to accomplish this step. Such relationship among components is clearly not contemplated in Koch. As such, even if an insulative feature of Koch were equated with the insulative wall of claim 3, the fact that such insulative wall must prevent contact with a conductive wire is not disclosed in such reference.

Because claim 3 is patentable over Weiss and Koch either singularly or in combination, Applicants respectfully request withdrawal of the rejection of claim 3 under 35 U.S.C. § 103(a). Claims 4 and 5 further describe and limit the method set forth in claim 3. Because claim 3 is allowable over the combination of Weiss and Koch, claims 4 and 5 should also be allowed. Applicants respectfully request acknowledgement of the same.

CONCLUSION:

In light of the above, Applicants respectfully submit that all pending claims are allowable and that the application is in a condition for allowance. Review and favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at the Examiner's convenience should the Examiner have any questions concerning this matter or require any additional information.

A fee for filing the present submission as an Request for Continued Examination (RCE) is also submitted with this amendment. If any additional fee or extension of time is required to

obtain the entry of this response, the undersigned hereby petitions the Commissioner to grant any necessary time and extension and authorize its charging deposit account no. 04-1403 for any such fee not submitted herewith.

Respectfully submitted,

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